

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office. **DEC 04 1992**

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant **Cortez Joint Venture**  
**Star Route, HC 66-50** of **Beowawe**  
Street and No. or P.O. Box No. City or Town  
**Nevada 89821-9708** hereby make <sup>S</sup> application for permission to change the  
State and Zip Code No.  
**point of diversion, place of use and manner of use**  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under **Permit #15178 (Certificate 5314)**  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is **Underground (Well BW-1)**  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **2.0 c.f.s. (219.44 acre-feet per year)**  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **mining, milling and domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Irrigation and domestic**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 6, T.27N., R.47E. MDM, unsurveyed, from which the NE corner of Sec.31 T.28N., R.47E., bears N.12°09'E., 6,152 ft. dist.**  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within **the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 35, T.28N., R.47E., MDM, from which the SW corner of said section bears S.1°56' W., 2,244 ft. dist.**  
If point of diversion is not changed, do not answer.
7. Proposed place of use **Sections 29, 30, 31, 32, in T.28N., R.47E., MDM and unsurveyed Sections 5, 6, 7, 8, in T.27N., R.47E., MDM.**  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **13.45 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.50 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 2.08 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and 37.83 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ , all in Section 35, T.28N., R.47E., MDM.**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from **January 1** to **December 31** of each year.  
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **drilled well, with casing, gravel packing, and surface seal; turbine pump, pipelines to storage tanks and to milling and related facilities**  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **\$150,000.00**
13. Estimated time required to construct works **five years**

14. Estimated time required to complete the application of water to beneficial use.....ten years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:  
Cortez Joint Venture has secured the above base right, subject of this change application, by assignment; it is proposed to first utilize this and other permitted rights, resulting in no net increase in groundwater withdrawals in the basin. This temporary change application will be followed with permanent change applications to the development of the "Pipeline" mining project within the described proposed place of use. It is contemplated that, upon completion of the mining project, the original permitted use will be resumed.

By s/William A. Nisbet  
421 Court St.  
Elko, NV 89801

Compared.....cmg/.....

Protested.....

.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

IN TESTIMONY WHEREOF, I, .....,  
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed.....

office, this.....day of.....

Cultural map filed.....

A.D. 19.....

Certificate No.....Issued.....

WITHDRAWN BY APPLICANT

JUN 16 1994

STATE ENGINEER

State Engineer